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HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

Single Bench: - Hon'ble Shri S.R. NAYAK, CJ

WRIT PETITION NO. 4949 OF 2005

PETITIONER

Sameer Mahilang,
S/o Shri S.R. Mahilang, Aged about 24 years, R/o Guru Teg Bahadur Nagar, Raipur, District Raipur (C.G.).

Versus

RESPONDENTS

1. State of Chhattisgarh,
Through the Forest Conservator,
Office of the Forest Conservator,
Raipur Circle, Raipur, District Raipur (C.G.).

2. The Divisional Forest Officer,
Divisional Forest Office, Forest Division – Mahasamund, District Mahasamund (C.G.).

3. The Competent Authority/ Dy. Divisional Forest Officer,
Forest Office – Bagbahara, Mahasamund, District Mahasamund (C.G.).

Present:

Mr. J.A. Lohani, learned counsel for the petitioner.

Mr. Sandeep Dubey, learned Govt. Advocate for the State.

ORDER

(Passed on 28th November 2005)

The petitioner is the owner of the vehicle seized by the respondent authorities on the ground that the vehicle was involved in the commission of offences punishable under the provisions of the Indian Forest Act.

Having heard learned counsel for the parties, I think that ends of justice would be met and public interest would also be protected by

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releasing the subject vehicle to the custody of the petitioner subject to the petitioner furnishing Bank Guarantee for a sum of Rs.5,60,000/- (Rupees Five Lacs Sixty Thousand Only) to the satisfaction of third respondent.

In the result, the writ petition is disposed of directing the third respondent to release the subject lorry to the interim custody of the petitioner subject to result of the main proceedings initiated against him and also subject to the petitioner furnishing Bank Guarantee for a sum of Rs.5,60,000/- (Rupees Five Lacs Sixty Thousand Only) to the satisfaction of the third respondent. No order as to costs.

Sd/-
Chief Justice

Subbu